

AO91 (Rev. 1-79) (NE/AD) Criminal Complaint

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
U.S. DISTRICT COURT
N.D. OF ALABAMA

CRIMINAL COMPLAINT

UNITED STATES OF AMERICA

MAG 07 157

v.

CASE NUMBER:

(UNDER SEAL)


WILLIAM JAMES HUDSON

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. That on or before June 27th, 2007, in Jefferson County, in the Northern District of Alabama, the defendant, WILLIAM JAMES HUDSON,

did possess a firearm, as that term is defined in 26 USC § 5845(b), which was not registered to him in the National Firearms Registration and Transfer Record,

in violation of Title 26, United States Code, Section 5861(d). I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

June 28, 2007

Date

at Birmingham, Alabama

City and State

Paul Greene

United States Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA**

**IN THE MATTER OF THE
ARREST OF:**

MAG:

WILLIAM JAMES HUDSON

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, ADAM NESMITH, being first duly sworn, do hereby depose and state:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been so employed since September 5, 2004. For seven years prior to ATF I was employed at the Florence Police Department in Florence, AL as a police officer and criminal investigator. I have a bachelor's degree from the University of North Alabama in Sociology and Criminal Justice. I am a graduate of the Criminal Investigator Training Program and the ATF National Academy, both located at the Federal Law Enforcement Training Center in Glynco, GA. I am aware of the information contained in this affidavit from my personal investigation and from information furnished to me by other federal, state and local law enforcement officers personally involved in this investigation. The following information is submitted in support of probable cause for the search of **5232 Division Avenue Birmingham, Alabama 35212**.

2. Due to my training and experience as an ATF agent, I am familiar with the following federal laws:

18 USC § 371 Conspiracy to commit offense or to defraud United States

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

26 USC § 5861

It shall be unlawful for any person—

- (d) to receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record; or
- (f) to make a firearm in violation of the provisions of this chapter;


3. On April 26, 2007 Special Agents of the ATF, along with the Alabama State Fire Marshal's Office, the Alabama Bureau of Investigation, the DeKalb County Sheriff's Department and other law enforcement agencies, executed six arrest warrants and four search warrants in DeKalb and Jefferson Counties, in the Northern District of Alabama, for violations of the National Firearms Act. Recovered during these search warrants were approximately one hundred eighteen (118) hand grenades, sixty eight (68) 37mm improvised explosive projectiles (launchable grenades), one military style 40mm grenade launcher, one Sten Mark III Machine Gun and other various firearms and weapons.

4. Two of the six men arrested, Bonnell (Buster) HUGHES and Raymond Kirk DILLARD, offered proffers of information to the government. Special Agent (SA) Adam Nesmith, Assistant United States Attorney Mike Whisonat, Federal Bureau of Investigation (FBI) SA Brad Snider and Deputy State Fire Marshal Ray Cumby were present during the proffer. During proffer both HUGHES and DILLARD, in separate interviews, advised agents that an individual named William (Bill) James HUDSON built the Sten Machine Gun for HUGHES and trimmed down the casings for the construction of the 37mm improvised explosive projectiles (launchable grenades). Both stated that HUDSON had the knowledge, experience and equipment at his residence to accomplish these tasks, which they did not. HUGHES stated that HUDSON used an industrial lathe to trim the 37mm shell casing down. HUGHES and DILLARD stated that the equipment HUDSON used to trim the 37mm casings is not located in the main residence. Both stated that this equipment is located in another run down house on the property. HUGHES also told those present that he was at HUDSON'S residence on Division Avenue in Birmingham, Alabama approximately nine months prior and noticed approximately twenty five (25) eight inch (8") and twelve inch (12") mortar shells

(commercial fireworks) at the residence. These commercial fireworks are used in professional fireworks shows and contain large amounts of pyrotechnic powder (flash powder).

5. Based on this information Deputy State Fire Marshal Ray Cumby obtained a State Search Warrant for the property at 5232 Division Avenue in Birmingham, Alabama. ATF and FBI agents, along with the Jefferson County Bomb Squad, Birmingham Police Department and other law enforcement agencies assisted the Alabama State Fire Marshal's Office with the execution of the state search warrant. During the execution of that search warrant on June 27, 2007 at approximately 3:15pm, agents observed at least two metal industrial lathes and a drill press inside what appeared to be a workshop. The residence at 5232 Division Avenue shares a fence, an outbuilding and power supply with the residence at 5228 Division Avenue. Also found inside 5232 Division Avenue were two plastic shell casings similar to the 37mm improvised explosive projectile casings that HUGHES was found in possession of. The end cap of the casing found at 5232 Division Avenue had a small hole drilled into it where a primer could be inserted.

6. Based on the foregoing your affiant obtained a federal search warrant for the property at 5232 Division Avenue in Birmingham, Alabama. Agents recovered two (2) firearm silencers, two rifles altered to accept firearm silencers, two Sten Mark III machine guns (combination of parts), two plastic 37mm shell casings and other evidence of the construction of firearms, as that term is defined in 26 United States Code, Section 5845.


Adam Nesmith
Special Agent, ATF

Sworn and subscribed to me
this 28th day of June, 2007.



Paul Greene

UNITED STATES MAGISTRATE JUDGE

United States District Court

Northern District of Alabama